

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 EURE-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 SAM-01 SAI-01 IO-11 ACDA-05 /077 W

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P R 251753Z FEB 76

FM AMEMBASSY BONN

TO USMISSION USBERLIN PRIORITY

INFO SECSTATE WASHDC PRIORITY 6725

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

AMEMBASSY BERLIN

C O N F I D E N T I A L SECTION 01 OF 02 BONN 03174

E.O. 11652: GDS

TAGS: PGOV, PFOR, WB, GE, GW, US, UK, FR

SUBJECT: REICHSBAHN CONSTRUCTION IN WEST BERLIN

REFS: (A) USBERLIN 350; (B) USBERLIN 285; (C) USBERLIN 244

SUMMARY: ALLIES HAVE INFORMED FRG IN THE BONN GROUP OF GROWING ALLIED CONCERN OVER FAILURE OF REICHSBAHN TO COMPLY WITH AK LEGISLATION CONCERNING IMPLEMENTATION OF DECEMBER 19 TRANSIT AGREEMENTS. END SUMMARY.

1. AT FEBRUARY 24 BONN GROUP MEETING, US REP, IN ACCORDANCE WITH APPROACH AGREED UPON TRIPARTITELY IN BONN ON FEBRUARY 23, RAISED ISSUE OF REICHSBAHN CONSTRUCTION IN WSB TO APPRISE THE FRG DELEGATION OF THE STATE OF PLAY AND THE NEED FOR PROMPT REICHSBAHN COMPLIANCE WITH AK LEGISLATION.

2. US REP STRESSED THAT AK LEGISLATION HAD BEEN
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ADOPTED TO FACILITATE THE IMPLEMENTATION OF THE INNER-

GERMAN TRANSIT PACKAGE IN BERLIN, AND THAT THE ALLIES CERTAINLY DID NOT WISH TO PLACE IMPEDIMENTS IN THE WAY OF THE AGREEMENTS. NEVERTHELESS, THE REICHSBAHN HAD YET TO COMPLY WITH AK LEGISLATION BY SUBMITTING ITS CONSTRUCTION PLANS TO THE AK FOR APPROVAL. THE ALLIES HAD BEEN INFORMED THAT MITDANK TOLD KUNZE ON FEBRUARY 12 THAT IF AK APPROVAL WAS NECESSARY, THE SENAT SHOULD OBTAIN IT. THEY HAD ALSO NOTED THAT PRELIMINARY CONSTRUCTION HAD BEGUN AT WANNSEE STATION ON FEBRUARY 16.

3. US REP CONCEDED THAT NEITHER OF THESE DEVELOPMENTS GAVE DEFINITIVE EVIDENCE OF GDR INTENT. WE WERE AWARE THAT IN THE PAST PRELIMINARY WORK HAD SOMETIMES TAKEN PLACE BEFORE COMPLIANCE WITH AK LEGISLATION. NONETHELESS, THESE DEVELOPMENTS CONSTITUTED WARNING SIGNALS THAT REQUIRED CLOSE AND PROMPT ATTENTION. THE ALLIES EXPECTED THEIR LEGISLATION TO BE COMPLIED WITH; REAL PROBLEMS COULD ENSUE IF THIS DID NOT HAPPEN IN THE NEAR FUTURE. WHILE THE ALLIES HOPED THE REICHSBAHN WOULD VOLUNTARILY COMPLY PROMPTLY WITH AK LEGISLATION, THE ALLIES WERE PREPARED TO TAKE STEPS TO ENFORCE THEIR LEGISLATION IF IT BECAME NECESSARY.

4. FRG REP (HENZE) EMPHASIZED THE FRG DESIRE TO SEE REICHSBAHN COMPLIANCE WITH AK LEGISLATION AND SAID THIS WAS ALSO THE DESIRE OF THE SENAT, AS SHOWN BY KUNZE'S STRESSING TO MITDANK ON FEB. 12 THE NEED FOR AK APPROVAL OF THE REICHSBAHN'S PLANS.

5. MEMBER OF THE BERLIN REPRESENTATION (MEICHSNER)

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USIA-06 SAM-01 SAJ-01 IO-11 ACDA-05 /077 W

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P R 251753Z FEB 76
FM AMEMBASSY BONN
TO USMISSION USBERLIN PRIORITY
INFO SECSTATE WASHDC PRIORITY 6726
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SAID HE WAS AWARE OF DISCUSSIONS TAKING PLACE BETWEEN THE AK AND SENAT ON THE REICHSBAHN QUESTION. THE SENAT HAD INFORMED WSB CONSTRUCTION FIRMS OF THE RELEVANT AK LEGISLATION AND THE NEED TO OBSERVE IT. IT WAS DIFFICULT TO "COMPEL" THE REICHSBAHN TO COMPLY WITH AK LEGISLATION, BUT THE SENAT WAS PREPARED TO ENCOURAGE REICHSBAHN COMPLIANCE ASAP. MEICHSNER ADDED THAT HE PROCEEDED FROM THE ASSUMPTION THAT EXISTING AK LEGISLATION WAS SUFFICIENT, AND THAT NO FURTHER REQUIREMENTS WOULD BE IMPOSED ON THE REICHSBAHN.

6. UK REP(HITCH) SAID THAT UKBER HAD NOT YET REPORTED ANY FIRM INDICATIONS THAT THE REICHSBAHN INTENDED TO IGNORE THE DECEMBER 19 BK/O. THE AK COULD, OF COURSE, ASK WSB FIRMS TO HALT CONSTRUCTION. THIS, HOWEVER, WAS HARDLY IN OUR MUTUAL INTEREST, FOR IT CAME "UNCOMFORTABLY CLOSE" TO COMPULSION.

7. DISCUSSION WAS CONCLUDED BY STATEMENT BY US REP THAT ALLIES WERE NOT PROPOSING ANY SPECIFIC
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ACTION AT THIS TIME (REFTEL A WAS RECEIVED AFTER BONN GROUP MEETING) BUT WERE SIMPLY BRINGING FRG UP TO DATE ON SITUATION, IN CASE URGENT DECISIONS ON ACTION TO BE TAKEN SHOULD BECOME NECESSARY.
HILLENBRAND

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, BERLIN QUADRIPARTITE MATTERS, NEGOTIATIONS, BERLIN RAILROAD ACCESS, RAIL TRANSPORTATION
Control Number: n/a
Copy: SINGLE
Draft Date: 25 FEB 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BONN03174
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760071-0018
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760216/aaaaanjo.tel
Line Count: 159
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 76 USBERLIN 350, 76 USBERLIN 285, 76 USBERLIN 244
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 30 MAR 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 MAR 2004 by ElyME>; APPROVED <31 MAR 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REICHSBAHN CONSTRUCTION IN WEST BERLIN
TAGS: PGOV, PFOR, ECRE, WB, GC, GE, US, UK, FR
To: USBERLIN
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006